

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JERRY SMITH,	)	No. C 14-04648 EJD (PR)
	)	
Plaintiff,	)	ORDER OF DISMISSAL
	)	
v.	)	
	)	
JERRY WHITE, et. al.,	)	
	)	
Defendants.	)	

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Plaintiff, a state prisoner at San Quentin State Prison, filed the instant pro se civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff's complaint was dismissed with leave to amend for failing to allege an actual injury. (Docket No. 5 at 2.) Plaintiff filed an amended complaint (Docket No. 6), which was dismissed with leave to amend for again failing to allege an actual injury (Docket No. 7). Plaintiff was ordered to file a second amended complaint by May 12, 2015. (*Id.* at 4.) Plaintiff was warned that failure to file a second amended complaint by the deadline would result in dismissal of this action. (*Id.*)

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1 The deadline has passed, and Plaintiff has not filed a second amended complaint.  
2 Accordingly, the Court dismisses this action without prejudice. The Clerk shall terminate  
3 all pending motions and deadlines.

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5 DATED: 5/20/2015

  
EDWARD J. DAVILA  
United States District Judge